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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
ISMAIL, SHAWKI SAIF	

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 07/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/769,777	ARTEAGA ET AL.	
	Examiner	Art Unit	
	Shawki S. Ismail	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 May 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-25 and 27-35* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 3-25, and 27-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

RESPONSE TO AMENDMENT

1. This communication is responsive to the amendment filed on May 6, 2005. Applicant has amended claims 1, 18 and 27 and cancelled claims 2, 26, and 36-61. Claims 1, 3-25 and 27-35 are pending.

Old Rejection Maintained

2. The rejection is respectfully maintained as set forth in the last Office Action mailed on November 9, 2004. Applicants' arguments with respect to claims 1, 3-25 and 27-35 filed on May 6, 2005 have been fully considered but they are not deemed to be persuasive and the old rejection is therefore maintained.

Claim Rejections - 35 USC §102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1, 3, 5, 8, 9, 11, 12, 16, 18, 19, 20, 21, 22, 25, 27, 28, 31, and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by **Liu et al**, (**Liu**) UK Patent Application **GB 2350452**.

5. As to claim 1, Liu teaches a communication system comprising:

a) a remote communication device (Fig. 5, Page 10 lines 20-25);

b) a resident web server on said remote communication device (off-line server 702, Page 3 lines 13-18);

c) a resident browser on said remote communication device (Page 9 lines 39-43);

d) a data transfer protocol for said remote communication device to transfer data between said resident web server and a non-resident web server (Page 1 line 41 – Page 2 line 5 and Page 20 line 30-31);

e) a resident application on said remote communication device executed from the resident web server by the resident browser (Page 19 lines 32-40).

6. As to claim 3, Liu teaches the communication system of claim 2 further comprising:

a) a database resident on said remote communication device (request-response storage 703, Page 14 lines 21-26); and

b) a data calling protocol for calling data from said database to said application (Page 21 lines 6-15).

7. As to claim 8, Liu teaches the communication system of claim 1 wherein said remote communication device includes a hardware interface for an application running on said to remote communication device to communicate with one or more hardware peripherals connected to the remote communication device (Page 6 line 35 – page 7 line 20).

8. As to claim 5, Liu teaches the communication system of claim 1 wherein the transfer protocol includes the transfer of data in and out of a firewall protecting said non-resident web server. It is inherent that a firewall exists in a company's intranet in order to restrict unauthorized users from gaining access to it (Fig. 10, example of the intranet pages at an insurance company). See Microsoft Press Dictionary, 3rd Ed., 1997, Page 197.

9. As to claim 9, Liu teaches the communication system of claim 1 wherein said resident web server includes:

a) a cache for caching a post request when said remote communication device is disconnected from the non-resident web server (Page 13 lines 9-18); and

b) an asynchronous processor for posting a cached request to said non-resident web server when said remote communication device is reconnected to the non-resident web server (actual network service provider 706, Page 16 lines 33-37, and Page 22 lines 20-35).

10. As to claim 11, Liu teaches the communication system of claim 7 further comprising:

a) a hardware detector to detect a hardware peripheral connected to said remote communication device (Page 5 lines 16-28, proper interfaces are present to detect different devices); and

b) at least one peripheral identification parameter sent from said hardware detector to said non-resident web server to identify the peripheral (Page 7 lines 36-40).

11. As to claim 12, Liu teaches the communication system of claim 11 further comprising a hardware extension deployer to deploy one or more hardware extensions from the non-resident web server to the remote communication device (Page 7 lines 36-40, proper hardware deployment needs to take place in order for proper communication of connected peripheral).

12. As to claim 16, Liu teaches the communication system of claim 1 further comprising a version controller to update an application resident on said remote communication device with a predetermined version of said application from the non-resident web server (Page 10 lines 19-24).

13. As to claim 18, Liu teaches a method for communicating asynchronously with a network comprising:

a) providing a remote communication device for communicating with a network (Fig. 5, Page 10 lines 20-25);

b) providing a resident browser in said remote communication device (off-line server 702, Page 3 lines 13-18);

c) providing a resident web server in said remote communication device (Page 9 lines 39-43);

d) caching a transaction from said resident browser destined for said network as an asynchronous post object in said remote communication device if said remote communication device is not connected to the network, wherein said transaction is initiated from an application resident on said remote communication device and running

from said web server in said resident browser (Page 7 lines 6-8, Page 19 lines 32-40, and Page 13 lines 9-18); and

e) Posting said asynchronous post object to the network from said resident web server when said remote communication device is connected to the network (actual network service provider 706, Page 16 lines 33-37, and Page 22 Lines 20-35).

14. As to claim 19, Liu teaches the method of claim 18 further comprising determining the connection status of said remote communication device is before caching a transaction as an asynchronous post object in said communication device (Page 11 lines 23-37, network traffic director 701 determines whether a network connection exists, and if connection does not exist it redirects the request to the off-line server 702).

15. As to claim 20, Liu teaches the method of claim 18 wherein posting said asynchronous post object to the network is initiated by a manual trigger (Page 16 lines 22-37).

16. As to claim 21, Liu teaches the method of claim 18 wherein posting said asynchronous post object to the network is initiated by a time interval trigger (Page 16 lines 22-37).

17. As to claim 22, Liu teaches the method of claim 18 wherein posting said asynchronous post object to the network is initiated when a second transaction is received by said resident web server from said resident browser (Page 16 lines 22-37).

18. As to claim 25, Liu teaches the method of claim 24 wherein said posting said asynchronous post object to the network includes hypertext transport protocol delivery of said asynchronous post object to the network (Page 1 line 41 – Page 2 line 5).

19. As to claim 27, Liu teaches the method for executing a transaction on a remote communication device comprising:

a) providing a remote communication device with a resident browser (Fig. 5, Page 10 lines 20-25 and Page 9 lines 39-43);

b) providing the remote communication device with a resident web server (off-line server 702, Page 3 lines 13-18); and

c) providing an application resident on said remote communication device and executable from said resident web server with said resident browser (Page 19 lines 32-40); and

d) asynchronously receiving data input to said application resident on said remote communication device at a non-resident web server (Page 7 lines 6-8, Page 19 lines 32-40, and Page 13 lines 9-18).

20. As to claim 28, Liu teaches the method of claim 27 wherein said remote communication device is a handheld device with a microprocessor (Fig. 3, Page 8 lines 13-31).

21. As to claim 31, Liu teaches the method of claim 30 wherein said remote communication device is a handheld device with a microprocessor (Fig. 3, Page 8 lines 13-31).

22. As to claim 33, Liu teaches the method of claim 27 further comprising transferring data between said application and a resident database resident on said remote communication device (Page 21, lines 28-42).

Claim Rejections - 35 USC § 103

23. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

24. Claims 4, 30, and 34, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Liu et al**, **(Liu)** UK Patent Application **GB 2350452,** and in view of **Anderson** U.S. Patent No. **5,999,941.**

25. As to claims 4, 30, and 34, Liu teaches a communication apparatus consisting of a resident web server, resident browser, and an application executed from the resident web server by the resident web browser for providing responses for request of a client which is off-line state (Page 19 lines 32-40).

Liu does not explicitly teach wherein said application is selected from the group consisting of an active server page application and a java server page application.

Anderson teaches access to a database management system running on a server from within a Java applet running on a client computer (col. 3, lines 8-29).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate the teaching of Anderson into the invention of Liu in order to make the system more flexible. java server page and active server page are both server-side technologies that dynamically create web pages with their respective extensions. More specifically, java server page provide a more convenient way to code a servlet and are not restricted to any specific platform or server and thus making the system in general more diverse and efficient. Similarly, active server pages are MICROSOFT Corporation's version of the same technology.

26. Claims 7, 15, 29, and 32, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Liu et al**, **(Liu)** UK Patent Application **GB 2350452,** and in view of **King et al., (King)** U.S. Patent No. **6,721,288.**

27. As to claims 7 and 15, Liu teaches a communication apparatus consisting of a resident web server, resident browser, and an application executed from the resident web server by the resident web browser for providing responses for request of a client which is off-line state (Page 19 lines 32-40).

Liu does not explicitly teach wherein the resident browser includes a resident browser modification control to limit a user's access to one or more resident browser function.

King teaches a wireless mobile device having improved operation during network unavailability. King teaches service limitation stored in the configuration which would limit browser access (col. 23, lines 34-49).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the teaching of King into the teaching of Liu to include service limitation in order to secure the system. It allows authorized user to gain access while restricting unauthorized users.

28. As to claim 29 and 32, Liu teaches a communication apparatus consisting of a resident web server, resident browser, and an application executed from the resident web server by the resident web browser for providing responses for request of a client, which is off-line state (Page 19 lines 32-40).

Liu does not explicitly teach wherein the remote communication device is a wireless device.

King teaches a wireless mobile device having improved operation during network unavailability.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the teaching of King into the teaching of Liu to include a wireless remote communication device in order to give the user ease of use and portability.

29. Claims 6 and 24, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Liu et al**, **(Liu)** UK Patent Application **GB 2350452,** and in view of **Mein et al., (Mein)** U.S. Patent No. **6,782,542.**

30. As to claim 6 and 24, Liu teaches the communication system of claim 1 wherein the communication device includes a data transfer protocol for transferring data

between the resident web server and a non-resident web server (Page 1 line 41 – Page 2 line 5 and Page 20 line 30-31).

Liu does not explicitly teach wherein the transfer protocol includes the transfer of data via simple object access protocol.

Mein teaches a SOAP protocol capable of accessing and invoking methods in Automation objects across the Internet and through firewalls.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate the teaching of Mein into the invention of Liu in order to make the system more flexible. SOAP is a lightweight XML-based messaging protocol that is used to encode data in web service request and response messages before they are sent over a network. The use of SOAP highlights efficiency in a system because it is independent of the operating system and can also be transported using a variety of protocols including FTP and HTTP.

31. Claims 10, 23, and 35, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Liu et al**, **(Liu)** UK Patent Application **GB 2350452,**

32. As to claim 10, 23, and 35, Liu teaches the communication system of claim 1 wherein said remote communication device includes a database resident on the remote communication device (request response storage 703, Page 14 lines 21-26).

Liu does not explicitly teach wherein the communication device includes a database binding means for calling extensible markup language data to an application running on the remote communication device.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate the use of XML into the invention of Liu because XML offers developers greater flexibility in organizing and presenting information than is possible with the older HTML document coding system.

33. Claims 13, 14, and 15, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Liu et al**, **(Liu)** UK Patent Application **GB 2350452,** and in view of **Grigsby et al., (Grigsby)** U.S. Patent No. **6,804,773.**

34. As to claims 13, 14, and 15, Liu teaches a communication apparatus consisting of a resident web server, resident browser, and an application executed from the resident web server by the resident web browser for providing responses for request of a client which is off-line state (Page 19 lines 32-40).

Liu does not explicitly teach wherein the communication apparatus further consists of a file deployer to remote communication device from the non-resident web server and wherein the file includes an extractable first packaged in a cabinet file.

Grigsby teaches a system and a method for transferring information over a network. The information may be one or more files that have been combined into a packaged format such as cabinet file (Fig. 2 and col. 2, lines 42-54 and col. 3, lines 20-26).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include the use of a cabinet file in the deployment of files to the communication device from the non-resident server in order to make the system more

efficient: Cabinet allows a group of files to be compressed into one larger file to conserve disk space.

Response to Arguments

35. Applicants' arguments with respect to claims 1, 3-25 and 27-35 filed on May 6, 2005 have been fully considered but they are not deemed to be persuasive.

36. In the remark, the applicants' argue in substance that:

Liu et al., neither teaches or discloses any "resident application on said remote communication device executed from the resident web server by the resident browser."

In response, Liu et al., teaches an apparatus for providing responses for requests of an off-line client. An off-line server (resident web sever) is provided in the client machine (remote communication device) for receiving requests of the client through a browser (resident browser). Redirecting the request by a network flow redirector to the client machine itself and generating responses based on requests received. A plurality of requests and plurality of responses are stored in a request-response storage, therefore, the responses are generated and returned to the client as if the responses came from the server (abstract, see Fig. 5).

Liu further shows an example of a clerk of an insurance company using an embodiment of his invention. The clerk goes on-line and starts to record all the applications on the insurance company's homepage. He then downloads all the applications to his palm computer and goes off to the customer site to sell them insurance and or to process claims. While at the customer's location he can use his

palm computer in an off-line state and execute any application needed for either making the insurance sale or processing the claim. The clerk uses his palm computer's browser (resident browser) to request all the different forms (resident application) from the off-liner server (resident web server) and; therefore, Liu meets the scope of the claimed limitation (see Fig. 9 and 10, Page 19, lines 32-40, Page 20 line 33 – page 22 line 35).

37. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
July 5, 2005

SALEH NAJJAR
PRIMARY EXAMINER